

EXHIBIT

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DATE

3-30-07

SB

OB 414

**Sue A. Weingartner**

**From:** McHugh, Robin [rmchugh@mt.gov]  
**Sent:** Friday, January 05, 2007 4:55 PM  
**To:** suew@mteyes.com  
**Subject:** FW: Question re: Code Commissioner Bill

Here you go.

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**From:** Petesch, Greg  
**Sent:** Friday, January 05, 2007 2:26 PM  
**To:** McHugh, Robin  
**Subject:** RE: Question re: Code Commissioner Bill

I could fix this in a code commissioner bill. However, the new procedure for the code commissioner bill was adopted so that the bill would not have to be amended and reprinted -- a substantial cost saving. I could include this in the 2009 cc bill or we could try to find a bill to fix it in this session.

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**From:** McHugh, Robin  
**Sent:** Friday, January 05, 2007 2:13 PM  
**To:** Petesch, Greg  
**Subject:** Question re: Code Commissioner Bill

Greg: I have been asked by persons outside the Commission to inquire whether a certain matter could be addressed in the Code Commissioner Bill. The full story is contained in the attached letter, but to try to save you some time I will summarize. In 1995 a section of the motor carrier statutes was opened for amendment. As part of that process it is my conclusion that the normal cleanup editing that is done when a section is opened inadvertently resulted in a significant and substantive change to the section; a change, so far as I can tell, that was not noticed by anybody until the PSC got the letter from Mr. Towle. So the question is, when cleanup editing results in substantive change, can that be corrected in the Code Commissioner Bill? Or does another bill have to be introduced to make the change? By the way, Lee Heiman was the LSD lawyer I talked to when researching the letter (referred to in the letter). Thanks for your help. Hope you are surviving the first part of the storm. Robin McHugh

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